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May 17, 2017

VIA ECF

U.S. Magistrate Judge James L. Cott
United States District Court
Southern District of New York
500 Pearl Street, Room 1360
New York, NY 10007

Re: *Morales v. Kavulich & Associates, P.C., et al*, 16-cv-2134 ALC-JLC
Letter Motion on Consent to Extend Non-Party Marshal Biegel's May 19th
Deadline to Move for Fees and Costs Attendant to the Production of Documents
in Response to Plaintiff's Subpoena

Dear Judge Cott:

This office represents New York City Marshal Stephen W. Biegel (the "Marshal"), a nonparty to this lawsuit. Pursuant to Your Honor's May 11th Order (Docket No. 72), the Court directed that the Marshal produce documents responsive to Plaintiff's March 8th Subpoena no later than May 19th, and further directed that if Marshal Biegel wishes to move for his fees and costs attendant to the production in response to the subpoena, any such application (in the form of a letter-motion with any appropriate attachments) must be made by May 19th.

The Marshal intends to produce responsive documents to Plaintiff's counsel by the May 19th deadline. With respect to the Marshal's fee petition deadline, we've discussed with Plaintiff's counsel, Ahmad Keshavarz, Esq., the possibility of resolving such fee issues without having to make a motion to the Court. However, given Mr. Keshavarz's current work load, he suggested via email that we discuss the fee issue next week and that the Marshal file an agreed letter to the Court requesting a one week extension of the Marshal's fee petition deadline (see attached email).

As such, we respectfully request that the Marshal's time to move for his fees and costs attendant to the production in response to the Subpoena be extended from May 19, 2017 to May 26, 2017. The Court's consideration of this request is greatly appreciated. If the Court has any further questions or concerns regarding this letter motion, I can be reached at 914-761-1300.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy D. Lipp".

Troy D. Lipp

cc: Ahmad Keshavarz, Esq.

Lipp, Troy

From: Ahmad Keshavarz <ahmad@newyorkconsumerattorney.com>
Sent: Wednesday, May 17, 2017 11:31 AM
To: Lipp, Troy
Cc: Melissa Koven; Matthew Schedler; Jessica Moody; Schriever, Andrew P.
Subject: RE: Morales v. Kavulich - subpoena to Biegel.

Troy,

Listen, I have a bunch of motions due in the next few days. I suggest you file an agreed letter to extend the fee petition deadlines by one week. We can discuss the fee issue next week. The search now is just limited to searching for the name of your firm. Those emails get segregated. All the other emails get dropped into a folder and mailed to me in the stick drive I previously sent. This should not take more than 5 minutes.

-- Ahmad

The Law Office of Ahmad Keshavarz

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Debt collection violations * Identity Theft * Deceptive car sales & financing scams

From: Lipp, Troy [mailto:TLipp@CUDDYFEDER.COM]
Sent: Tuesday, May 16, 2017 11:36 AM
To: Ahmad Keshavarz
Cc: Melissa Koven; Matthew Schedler; Jessica Moody
Subject: RE: Morales v. Kavulich - subpoena to Biegel.

We wanted to discuss with you whether your client is willing to pay any amount above your prior offer which we would bring back to our client (who can then decide if he would like to proceed with making a fee application to the Court or whether to just accept any new offer). We wanted to clear this up before we start our review of the documents for production.

Thanks,

Troy

From: Ahmad Keshavarz [mailto:ahmad@newyorkconsumerattorney.com]
Sent: Tuesday, May 16, 2017 11:27 AM
To: Lipp, Troy <TLipp@CUDDYFEDER.COM>
Cc: Melissa Koven <MelissaK@CAMBA.ORG>; Matthew Schedler <MatthewSc@CAMBA.ORG>; Jessica Moody <jessica@newyorkconsumerattorney.com>
Subject: RE: Morales v. Kavulich - subpoena to Biegel.

In the middle of something at the moment. What's up? (also, please copy all counsel).

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Debt collection violations * Identity Theft * Deceptive car sales & financing scams

From: Lipp, Troy [<mailto:TLipp@CUDDYFEDER.COM>]
Sent: Tuesday, May 16, 2017 11:25 AM
To: Ahmad Keshavarz
Subject: Kavulich

Hi Ahmad,

I tried calling you earlier re: this matter. Please call me back when you get a chance.

Thanks,

Troy



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